

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS (WORCESTER)**

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BUD’S GOODS & PROVISIONS CORP.,	:	
<i>Plaintiff,</i>	:	
-v-	:	4:22-cv-40002-TSH
JOHN DOE, LAM YAN WUN MERTON	:	
and HSBC BANK USA	:	
<i>Defendants.</i>	:	

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**DEFENDANT, LAM YAN WUN MERTON’S,  
MOTION TO DISMISS FIRST AMENDED COMPLAINT**

Now comes the Defendant, Lam Yan Wun Merton (“Merton”), pursuant to Fed. R. Civ. P. 12(b)(2), and hereby submits this Motion to Dismiss First Amended Complaint as to all claims against him, on the grounds that this Court lacks personal jurisdiction over him. Specifically, the Plaintiff has not satisfied its burden of setting forth essential facts to support a prima facie showing that personal jurisdiction over Merton exists.

As is more fully described in his Memorandum of Law filed herewith and incorporated herein, Plaintiff’s claims against Merton should be dismissed.

**LOCAL RULE 7.1 CERTIFICATION**

I, Jeff M. Rosin, certify that prior to filing this Motion, I conferred with Plaintiff’s counsel pursuant to Local Rule 7.1 in an attempt to resolve the issues contained within the motion and, despite good-faith efforts, we did not reach agreement on the requested relief.

/s/ Jeffrey M. Rosin  
Jeffrey M. Rosin, BBO#629216

ORAL ARGUMENT REQUESTED

Respectfully submitted,  
Defendant,  
LAM YAN WUN MERTON,

Date: June 23, 2022

/s/ Jeffrey M. Rosin  
Jeffrey M. Rosin, BBO# 629216  
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CERTIFICATE OF SERVICE

I, Jeffrey M. Rosin, hereby certify that on this 23<sup>rd</sup> day of June, 2022, I caused the foregoing *Defendant's Motion to Dismiss First Amended Complaint* to be filed electronically with the Court and served upon all known counsel by email.

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/s/ Jeffrey M. Rosin